

1 THE HONORABLE JOHN H. CHUN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

8 AGATA DROZDZ, an individual and TEAKRE
VEST, an individual

9 Plaintiffs,

10 v.

11 USAA GENERAL INDEMNITY COMPANY,
12 UNITED SERVICES AUTOMOBILE
ASSOCIATION and USAA CASUALTY
13 INSURANCE COMPANY,

14 Defendants.

Case No. 2:20-cv-01010-JHC

CLASS ACTION

**STIPULATED MOTION AND ORDER
EXTENDING CASE SCHEDULE
DEADLINES**

**NOTED FOR CONSIDERATION:
SEPTEMBER 6, 2022**

15
16 Plaintiffs Agata Drozdz and Teakre Vest and Defendants USAA General Indemnity
17 Company, United Services Automobile Association and USAA Casualty Insurance Company
18 jointly move this Court to amend the briefing schedule on Plaintiffs' motion for class
19 certification.

20 I. **STIPULATION**

21 Pursuant to LCR 7(d)(1), LCR 10(g), and LCR 16(b)(6), the parties respectfully submit this
22 stipulated motion to extend the briefing and class expert discovery schedule on class
23 certification. In support of the motion, the parties state as follows:

24 Plaintiffs filed this proposed class action in King County Superior Court on
25 March 5, 2020. *See* Dkt. Nos. 1-2. Defendants removed the case to this Court on June 29, 2020.
26 *See* Dkt. No. 1.

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STIPULATED MOTION AND ORDER EXTENDING
CASE SCHEDULE DEADLINES - 1
Case No. 2:20-cv-01010-JHC

1 On November 10, 2021, the parties submitted a stipulated motion and proposed order
 2 asking the Court to set a briefing schedule on class certification and to continue all other case
 3 deadlines until after the Court rules on class certification. Dkt. No. 37. The Court granted that
 4 motion and set the briefing schedule proposed by the parties. Dkt. No. 38.

5 On February 16, 2022, the parties submitted a second stipulated motion and proposed
 6 order asking the Court to extend the briefing deadlines for class certification by approximately
 7 two months, due primarily to unanticipated delays in the production of critical data and
 8 documents. Dkt. No. 39. The parties worked cooperatively throughout the delay and were able
 9 to resolve other discovery issues while waiting for the data production. *Id.* The Court granted
 10 the motion. Dkt. No. 40.

11 As the parties were preparing for the deposition of Defendants' corporate
 12 representative, Defendants discovered the existence of additional documents that were
 13 responsive to Plaintiffs' discovery requests, but had not previously been identified, reviewed, or
 14 produced. As a result, on April 21, 2022, the parties jointly submitted a third stipulated motion
 15 and proposed order asking the Court to extend the briefing deadline for Plaintiffs to file for
 16 class certification no later than September 9, 2022. Dkt. No. 43. The Court granted the motion.
 17 Dkt. No. 42.

18 Since then, Defendants have substantially completed their supplemental document
 19 productions, with their final production sent to Plaintiffs on August 19, 2022. However, the
 20 parties agree that Plaintiffs will be unable to schedule and complete depositions and move for
 21 class certification before the September 9, 2022, deadline. Due to scheduling constraints, the
 22 parties have rescheduled the Defendants' 30(b)(6) deposition for November 10, 2022, and
 23 Plaintiffs are working to reschedule a third-party deposition also for mid-November.

24 Therefore, the parties stipulate to the schedule on class certification below and request
 25 the Court enter an order setting these deadlines and continuing all other case deadlines until
 26 after resolution of the motion for class certification:

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 STIPULATED MOTION AND ORDER EXTENDING
 CASE SCHEDULE DEADLINES - 2
 Case No. 2:20-cv-01010-JHC

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Plaintiffs' Motion for Class Certification and any supporting expert reports	9/9/2022	12/16/2022
Deadline for completion of expert discovery relating to class certification issues – Plaintiffs' expert(s)	Parties to submit joint proposed schedule within 1 week of filing of motion for class certification	1/27/2023
Defendants' Response to Plaintiffs' Motion for Class Certification and any supporting expert reports	Parties to submit joint proposed schedule within 1 week of filing of motion for class certification	3/3/2023
Deadline for completion of expert discovery relating to class certification issues – Defendants' expert(s)	Parties to submit joint proposed schedule within 1 week of filing of motion for class certification	4/7/2023
Plaintiffs' Reply in Support of Motion for Class Certification	Parties to submit joint proposed schedule within 1 week of filing of motion for class certification	5/5/2023
Joint Proposed Case Schedule Setting remaining case deadlines and Trial Date	Within 2 weeks of ruling on class certification	Within 2 weeks of ruling on class certification

STIPULATED TO AND DATED this 6th day of September, 2022.

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STIPULATED MOTION AND ORDER EXTENDING

CASE SCHEDULE DEADLINES - 3

Case No. 2:20-cv-01010-JHC

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10 *Attorneys for Plaintiffs*

11 *Attorneys for Defendants*

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14 II. ORDER

15 IT IS SO ORDERED.

16 DATED this 6th day of September, 2022.

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19 THE HONORABLE JOHN H. CHUN
20 United States District Judge
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STIPULATED MOTION AND ORDER EXTENDING
CASE SCHEDULE DEADLINES - 4
Case No. 2:20-cv-01010-JHC

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